

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER MURRAY,	:	CIVIL ACTION
Petitioner,	:	
	:	NO. 05-414
v.	:	
	:	
JAMES GRACE, et al.,	:	
Respondents.	:	

MEMORANDUM

BUCKWALTER, S.J.

October 5, 2005

Petitioner has filed objections to Magistrate Judge Arnold C. Rapoport's Report and Recommendation, by which he essentially is repeating the arguments made in his brief in support of his petition.

What he also states is that he agrees with the Magistrate Judge that he raised only one of his claims at the state level (*see* p. 4 of his objections). But, he goes on to state that he will show cause and prejudice. Based upon the discussion from pages 4 through page 7 of his objections, it is clear that he does not show any cause for his default, much less prejudice. His reference to page 20 of his memorandum of law in support of his alleged cause for default does not establish that such cause existed to entitle him to relief.

An order follows.

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ORDER

AND NOW, this 5th day of October, 2005, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, and the Response thereto, and after review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport, and the objections of Petitioner thereto, it is hereby **ORDERED** that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The Petition for Writ of Habeas Corpus is DENIED with prejudice and DISMISSED without an evidentiary hearing.
3. No certificate of appealability will issue based on the Report and Recommendation which reflects Petitioner's failure to make a substantial showing of the denial of any constitutional right.
4. The Clerk of Court shall mark this matter as CLOSED for statistical purposes.

BY THE COURT:

RONALD L. BUCKWALTER, S.J.